



Practitioner's Docket No. Neogen 4.1-34

PATENT

John T. McCaffrey, Szilveszter Jando and

- ☒ Applicant Sunita Carrasko ☐ Patentee _____
☒ Application No. 09/821,571 ☐ Patent No. _____
☒ Filed on March 29, 2001 ☐ Issued on _____

Title: METHODS AND APPARATUS TO IMPROVE THE SENSITIVITY AND
REPRODUCIBILITY OF BIOLUMINESCENT ANALYTICAL METHODS

**STATEMENT OF STATUS AS SMALL ENTITY
(37 C.F.R. § 1.27(a)(2))—SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the
concern identified below;

Name of Small Business Concern Neogen Corporation

Address of Small Business Concern 620 Leshar Place
Lansing, Michigan 48912

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 37 C.F.R. § 1.21, and in 37 C.F.R. § 1.27(a)(2), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as a person under 37 C.F.R. § 1.27(a)(1), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2) or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 C.F.R. § 1.27)

(Small Entity-Small Business [7-4]—page 1 of 2)



Each such person, concern or organization having any right in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern or organization is listed below.

Name _____
Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name _____
Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.28(b))

NOTE: The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(f) and 10.23(c)(7), 37 C.F.R. § 1.4(c)(2).

Name of Person Signing James L. Herbert
Title of Person if Other Than Owner President
Address of Person Signing 620 Leshar Place
Lansing, Michigan 48912

SIGNATURE  Date May 26, 2005

(Small Entity—Small Business [7-4]—page 2 of 2)